UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,215	02/17/2004	Katsushi Horihata	P1345US	9459

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EXAMINER
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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/780,215	HORIHATA, KATSUSHI
	Examiner	Art Unit
	SATWANT K. SINGH	2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 September 2008*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *2/17/04* is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date *10/28/08*.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

1DETAILED ACTION

Response to Amendment

1.   This office action is in response to the amendment filed on 18 September 2008.

Response to Arguments

2.   Applicant's arguments with respect to claim 1 have been considered but are moot

in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1, 2, and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Okuda et al. (US 7,034,952) in view of Uchiyama et al. (US 7,199,893) and Yokono

et al. (US 6,538,761).

5.   Regarding Claim 1, Okuda et al teaches a wide area network printing system so

configured that a contents server (print service server 100) providing various information

is operated to send print data to a document server (print service shop 101) via the

Internet, and the document server is operated to send the print data to a remotely

installed image forming apparatus (Fig. 5, printer 509) via the Internet to allow the

image forming apparatus to print the print data, wherein the contents server includes:

data sending/receiving means which communicates various data including print data

with a communications terminal of a user and the document server (user accesses the

print service server and instructs the print service server to print a designated document

at the print service shop) (col. 3, lines 19-26); data storage means which stores the print

data therein (Fig. 4, job unit 455) (col. 4, lines 11-13); controlling means (job distributer

404) which controls the data storage means to read out the print data designated by a

command requesting printout of the print data and controls the data sending/receiving

means to send the print data to the document server (job distributer sequentially

transfers job data still not processed and under management by the job unit to the

designated print service shop) (col. 4, lines 17-19) when the data sending/receiving

means receives the command requesting printout of the print data from the

communications terminal (user instructs the print service server to print a designated

document at the print service shop) (col. 3, lines 19-26); and information fee accounting

means (Fig. 4, fee computer 408) which calculates an information fee relating to the

print data and charges the user for the information fee when the data sending/receiving

means sends the print data to the document server (fee computer computes a fee to be

claimed to the job result in accordance with various charge conditions) (col. 4, lines 35-

38), the document server includes: communicating means which communicates various

data including the print data with the contents server and the image forming apparatus

(user accesses the print service server and instructs the print service server to print a

designated document at the print service shop) (col. 3, lines 19-26); storage means

which stores the print data sent from the contents server therein (Fig. 5, job unit 555)

(col. 5, lines 45-48); data retrieving means which retrieves, from the storage means, the

print data designated by a command requesting transmission of the print data sent from

the image forming apparatus (Fig. 5, job distributor 504) (job distributor sequentially

transfers job data still not processed and under management by the job unit to the

printer to execute the job) (col. 5. lines 54-59); print fee accounting means which

calculates a print fee in accordance with the number of copies of the print data retrieved

by the data retrieving means (number of copies) (col. 1, lines 43-45)(*since the fee*

computer of the print service server computes a fee to be claimed to the job result in

accordance with various charge conditions, it is assumed by the examiner that one of

the charge conditions is the number of copies), and stores the print fee as print-fee-

related accounting data (fee system unit 553) (col. 6, lines 20-23); and communication

controlling means which controls the communicating means to send the print data (Fig.

8, S808, job is processed) (col. 7, lines 13-46) and the print-fee-related accounting data

to the image forming apparatus (Fig. 8, S811, executing a fee computation process)

(col. 7, lines 13-46), and the image forming apparatus. (Fig. 1, printer)

Okuda et al fails to teach a network printing system wherein the image forming

apparatus includes: accepting means which accepts the command requesting

transmission of the print data; transmitting means which sends the command requesting

transmission of the print data inputted from the accepting means to the document

server; receiving means which receives the print data and the print-fee-related

accounting data from the document server; outputting means which prints outs the

received print data; and fee collecting means which collects the print fee from the user

based on the print-fee-related accounting data when the receiving means receives the

print-fee- related accounting data from the document server.

Uchiyama et al teaches a network printing system wherein the image forming apparatus includes: accepting means which accepts the command requesting transmission of the print data (document outputted with the print outputting device at the print outputting destination) (col. 10, lines 35-38); transmitting means which sends the command requesting transmission of the print data inputted from the accepting means to the document server (facsimile modem for inputting from and outputting to a publicly-switched network) (col. 10, lines 7-8); receiving means which receives the print data (document outputted with the print outputting device at the print outputting destination) (col. 10, lines 35-38) and the print-fee-related accounting data from the document server (MFP is provides with a fee collecting device) (col. 21, lines 17-25); outputting means which prints outs the received print data (document outputted with at outputting device at the print outputting destination (col. 16, lines 1-3); and fee collecting means which collects the print fee from the user based on the print-fee-related accounting data when the receiving means receives the print-fee- related accounting data from the document server (MFP is provides with a fee collecting device) (col. 21, lines 17-25).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Okuda with the teaching of Uchiyama to allow a user to directly connect to a remote printer at a print shop to improve user fee settlement convenience for remote printing of documents.

Okuda et al and Uchiyama et al fail to teach a server which has information fee accounting means which calculates an information fee other than a print fee.

Yokono et al teaches a server which has information fee accounting means which calculates an information fee other than a print fee (Fig. 1, 2a, charging server) (col. 6, line 52-col. 7, line 7).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Okuda and Uchiyama with the teaching of Yokono to charge a user fees for uses other than printing.

6.   Regarding Claim 2, Okuda et al teaches a system, wherein the information fee accounting means of the contents server is controlled to charge the user for the information fee relating to the print data when the data sending/receiving means sends the print data to the communications terminal (fee computer computes a fee to be claimed to the job result in accordance with various charge conditions) (col. 4, lines 35-38).

7.   Regarding Claim 4, Okuda et al teaches a system, wherein the controlling means of the contents server controls the data sending/receiving means to send the print data to the document server (Fig. 8, S807, accept job after settlement status is checked) when the data sending/receiving means receives the command requesting printout of the print data (Fig. 6, S804, user terminal requests print), and controls the data sending/receiving means to send the print-data-related information fee calculated by the information fee accounting means to the document server as print-data- related accounting data (fee computer computes a fee to be claimed to the job result in accordance with various charge conditions) (col. 4, lines 35-38),.

Okuda et al fails to teach the communication controlling means of the document server controls the communicating means to send, to the image forming apparatus, the print-data-related accounting data calculated by the information fee accounting means, and the print-fee- related accounting data calculated by the print fee accounting means, and the fee collecting means of the image forming apparatus is controlled to collect from the user a certain fee based on the print-data-related accounting data and the print-fee-related accounting data.

Uchiyama et al teaches the communication controlling means of the document server controls the communicating means to send, to the image forming apparatus, the print-data-related accounting data calculated by the information fee accounting means, and the print-fee- related accounting data calculated by the print fee accounting means (document outputted with the print outputting device at the print outputting destination) (col. 10, lines 35-38), and the fee collecting means of the image forming apparatus is controlled to collect from the user a certain fee based on the print-data-related accounting data and the print-fee-related accounting data (MFP is provides with a fee collecting device) (col. 21, lines 17-25).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Okuda with the teaching of Uchiyama to allow a user to directly connect to a remote printer at a print shop to improve user fee settlement convenience for remote printing of documents.

1.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okuda,

Uchiyama, and Yokono as applied to claim1 above, and further in view of Aoki (US

2002/0035546).

Regarding Claim 3, Okuda, Uchiyama and Yokono fail to teach wherein the

controlling means of the contents server controls the data sending/receiving means to

send, to the document server, print data in which additional information is added to the

print data sent to the communications terminal, as additional-information-included print

data when the data sending/receiving means receives the command requesting printout

of the print data, and controls the information fee accounting means to charge the user

for an information fee relating to the additional-information-included print data by adding

a surcharge when the data sending/receiving means sends the additional-information-

included print data to the image forming apparatus.

Aoki teaches wherein the controlling means of the contents server controls the

data sending/receiving means to send, to the document server, print data in which

additional information is added to the print data sent to the communications terminal

(user performs a predetermined operation of the input section of the cellular phone in

order to send print request information from the cellular phone) (page 6, paragraph

[0120]), as additional-information-included print data (color/monochrome) (page 7,

paragraph [0128]) when the data sending/receiving means receives the command

requesting printout of the print data (user performs a predetermined operation of the

input section of the cellular phone in order to send print request information from the

cellular phone) (page 6, paragraph [0120]) , and controls the information fee accounting

means to charge the user for an information fee relating to the additional-information-

included print data by adding a surcharge (users are further required to pay a

predetermined additional charge each time they print out data using the printing system)

(page 7, paragraph [0128]) when the data sending/receiving means sends the

additional-information-included print data (color/monochrome) (page 7, paragraph

[0128]) to the image forming apparatus (user performs a predetermined operation of the

input section of the cellular phone in order to send print request information from the

cellular phone) (page 6, paragraph [0120]).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to have combined the teachings of Okuda, Uchiyama and Yokono with

the teaching of Aoki to charge a user an additional fee for printing a color document

versus a monochrome document.

Conclusion

2.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SATWANT K. SINGH whose telephone number is

(571)272-7468. The examiner can normally be reached on Monday thru Friday 8am -

4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Edward L. Coles/   /Satwant K. Singh/
Supervisory Patent Examiner, Art Unit 2625   Examiner, Art Unit 2625

sks